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July 20, 2011

VIA ECF

The Honorable George H. Lowe
Magistrate Judge
UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK
100 S. Clinton Street
Federal Building and U.S. Courthouse
Syracuse, NY 13261-7346

Re: *Utica Mut. Ins. Co. v. Fireman's Fund Ins. Co.*, No. 6:09-CV-0853 (DNH/GHL)

Dear Magistrate Judge Lowe:

This firm represents Utica Mutual Insurance Company in the captioned matter.

During the July 6, 2011 Status Conference, Your Honor indicated that you were inclined to stay the July 22 deadline to exchange written discovery responses if Judge Hurd did not issue a decision on Utica's certification motion (Dkt. No. 64) as we approached that deadline. As you explained, a ruling by Judge Hurd on July 21 or 22, for example, would not give the parties sufficient time to proceed. Given that Utica's motion remains pending, Utica respectfully requests a stay of the July 22 deadline.

We have conferred with Fireman's Fund Insurance Company's counsel who have advised that Fireman's Fund agrees with Utica's request for a stay of the July 22 deadline.

Respectfully submitted,

Walter J. Andrews

cc: Mary A. Lopatto
John F. Finnegan